07278

Customer No:

PATENT TRADEMARK OFFICE

Dkt No.: 00597/0200034-US0

DECLARATION AND POWER OF ATTORNEY Original Application

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

CO2 INCUBATOR

which is described and claimed in:

[X] the attached specification or

[] the specification in application Serial No., filed (for declaration not accompanying appl.)

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR \$1.56. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I hereby claim the priority benefits under 35 U.S.C. §119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

COUNTRY

APPLICATION NO.

DATE OF FILING

Japan

282676/2002

September 27, 2002

ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED

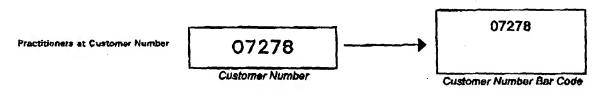
COUNTRY

APPLICATION NO.

DATE OF FILING

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agente(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith:



tAt the time of execution of this document, these ettomoys included: Gordon D. Copiein #19,165, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #18,814, Joseph B. Lerch #26,936. Melvin C. Garner #26,272, Adda C. Gogoris #29,714, Bert J. Lewen #19,407, Henry Stemberg #22,408, Pater C. Schachter #31,662, Robert Schaffer #31,194, Robert C. Sulliven, Jr. #30,499, Joseph R. Robinson #33,448, Scott G. Lindvell #40,325, Paul F. Feldner, Ph.D. #35,135, David Leason #36,185, Plorre R. Yanney #35,418)

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

DARBY & DARBY P.C. Post Office Box 5257

Melvin C. Garner

New York, NY 10150-5257

212-527-7700

FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: Tamaoki

FIRST NAME: Yulchi

MIDDLE NAME:

CITY: Ora-oun

STATE OR FOREIGN COUNTRY: Japan COUNTRY OF CITIZENSHIP: Japan

POST OFFICE ADDRESS: 4-14-20, Shironouchi, Olzumi-mechi, Gunm&ITY: Ora-gun

STATE OR COUNTRY: Japan ZIP CODE:

FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME: Busulima

FIRST NAME: Hiroki

MIDDLE NAME:

CITY: Ota-shi

STATE OR FOREIGN COUNTRY: Japan COUNTRY OF CITIZENSHIP: Japan

POST OFFICE ADDRESS: 277-6, Higashilmeizumi-cho, Gunma

CITY: Ota-shi

STATE OR COUNTRY: Japan ZIP CODE:

FULL NAME AND RESIDENCE OF INVENTOR 3

LAST NAME: Osawa

FIRST NAME: Shini

MIDDLE NAME:

CITY: Ota-shi

STATE OR FOREIGN COUNTRY: Japan COUNTRY OF CITIZENSHIF: Japan

POST OFFICE ADDRESS: 2-14-26, Nishlkoizumi, Oizumi-machi, Gunma

CITY: Ormaun

STATE OR COUNTRY: Japan

ZIP CODE:

FULL NAME AND RESIDENCE OF INVENTOR 4

LAST NAME: Kikuchi

FIRST NAME: Yazuhiro

MIDDLE NAME:

CITY: Ora-gun

STATE OR FOREIGN COUNTRY: Japan COUNTRY OF CITIZENSHIP: Japan

POST OFFICE ADDRESS: 57-1, Surniyoshi, Oizumi-machi, Gunma CITY: Ora-gun

STATE OR COUNTRY: Japan ZIP CODE:

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1: Muchi Tamaoki DATED: Suptember 18, 2003

Yuichi Tamaoki

SIGNATURE OF INVENTOR 2: Hiraki Busujuma DATED: September 18, 2003.

SIGNATURE OF INVENTOR 3: Shinji Osawa DATED: September 18, 2003

Shinji Osawa

SIGNATURE OF INVENTOR 4: Yasuhiro Kikuchi

Yasuhiro Kikuchi